

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
DELTA DIVISION**

**ANDREW WADE WYRRICK**  
**Reg. #15526-062**

**PETITIONER**

**V.**

**No. 2:20-cv-157-DPM-BD**

**DEWAYNE HENDRIX, Warden,**  
**Federal Correctional Institution,**  
**Forrest City, Arkansas**

**RESPONDENT**

**ORDER**

1. Andrew Wade Wyrick pleaded guilty in the Northern District of Oklahoma to possessing marijuana with intent to distribute and possessing a firearm in furtherance of drug trafficking. *Doc. 73* in N.D. Okla. Case No. 4:18-cr-106-JED-1. He is serving a sixty-month sentence at FCI Forrest City Low. *Doc. 1*. He has filed a § 2241 petition requesting compassionate release based on the ongoing COVID-19 pandemic and its effects in prison. *Ibid*. The case was automatically referred to Magistrate Judge Beth Deere.

2. The Court withdraws the reference. Because Wyrick's petition is, in substance, a motion for compassionate release, this Court lacks jurisdiction. Federal inmates may attack the execution of their sentences through a § 2241 *habeas* proceeding in the district where they are incarcerated. *Matheny v. Morrison*, 307 F.3d 709, 711 (8th Cir. 2002).

But Wyrnick is not challenging the execution of his sentence. Instead, he's requesting compassionate release—a sentence modification—due to COVID-19. Wyrnick must file that motion in the court that imposed his sentence: the Northern District of Oklahoma. *United States v. Raia*, 654 F.3d 594, 596 (3d Cir. 2020). His petition, *Doc. 1*, will therefore be dismissed without prejudice for lack of jurisdiction.

So Ordered.

*D.P. Marshall Jr.*

D.P. Marshall Jr.

United States District Judge

*27 July 2020*